

Message Text

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PAGE 01 STATE 024547
ORIGIN ARA-14

INFO OCT-01 ISO-00 HA-05 TRSE-00 SSO-00 SS-15 L-03
PA-01 PRS-01 USIE-00 MCT-01 CIAE-00 INR-07
NSAE-00 INRE-00 NSCE-00 H-01 DODE-00 SIL-01 LAB-04
EB-08 /062 R

DRAFTED BY ARA/CEN:DWFIGGINS
APPROVED BY ARA/CEN:EHICKS
ARA:GLISTER (SUBSTANCE)
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O R 302357Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY TEGUCIGALPA IMMEDIATE
INFO AMEMBASSY SAN SALVADOR

LIMITED OFFICIAL USE STATE 024547

E.O. 11652: N/A

TAGS: HO, SHUM, PINT

SUBJECT: ANNUAL REPORT TO CONGRESS ON HUMAN RIGHTS IN
HONDURAS

REF: STATE 18330

1. ANNUAL HUMAN RIGHTS REPORT FOR HONDURAS HAS BEEN
GIVEN FINAL APPROVAL BY DEPUTY SECRETARY AND WILL BE
TRANSMITTED TO CONGRESS SOON. FINAL TEXT QUOTED BELOW
SHOULD BE TRANSMITTED TO HOST GOVERNMENT IMMEDIATELY,
UNLESS EMBASSY SEES CONVINCING REASON NOT TO DO SO, IN
ORDER THAT HOST GOVERNMENT WILL HAVE COPY BEFORE IT
APPEARS IN THE PRESS. DEPARTMENT WILL PROVIDE EMBASSY
OF HONDURAS IN WASHINGTON WITH A COPY TODAY, JANUARY 30.

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2. DEPUTY SECRETARY SUGGESTS PRESENTATION BE MADE USING
FOLLOWING POINTS ADAPTED TO LOCAL CIRCUMSTANCES.

A. -- THE EFFECT OF NEW LEGISLATION WHICH BECAME LAW
LAST YEAR IS TO REQUIRE THE SECRETARY OF STATE TO SUBMIT
A "FULL AND COMPLETE" REPORT ON THE STATUS OF INTER-
NATIONALLY-RECOGNIZED HUMAN RIGHTS IN EACH COUNTRY WHICH

RECEIVES EITHER DEVELOPMENT ASSISTANCE OR SECURITY ASSISTANCE FROM THE UNITED STATES.

B. -- WE BROUGHT THIS LEGAL REQUIREMENT TO THE ATTENTION OF YOUR GOVERNMENT LAST NOVEMBER.

C.--AT THAT TIME, WE PROVIDED YOU (YOUR AUTHORITIES) WITH THE TEXT OF THE NEW LEGISLATION.

D. -- 109 HUMAN RIGHTS REPORTS WILL BE SUBMITTED TO THE CONGRESS ON OR ABOUT JANUARY 31. WE ARE PROVIDING YOU WITH AN ADVANCE COPY OF THE REPORT PREPARED ON HONDURAS.

F. -- THE DEPARTMENT OF STATE WILL NOT DISTRIBUTE THESE REPORTS TO THE PRESS OR PUBLIC OR OTHERWISE DRAW ATTENTION TO THEM. HOWEVER, THEY WILL BE MADE A MATTER OF PUBLIC RECORD BY THE CONGRESS AND WE EXPECT THEY WILL RECEIVE ATTENTION IN THE PRESS.

BEGIN TEXT:

HONDURAS HAS BEEN RULED BY TWO SUCCESSIVE MILITARY GOVERNMENTS SINCE 1972. THE LEGISLATURE HAS BEEN SUSPENDED SINCE THEN. FREEDOMS OF THE PRESS, RELIGION, AND EMIGRATION ARE RESPECTED. DURING 1977 THERE WERE ALMOST NO REPORTS ALLEGING VIOLATIONS OF THE INTEGRITY OF THE LIMITED OFFICIAL USE

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PERSON, SUCH AS ARBITRARY ARREST OR IMPRISONMENT, INVASION OF THE HOME, INHUMAN PUNISHMENT, OR VIOLATIONS OF THE INDEPENDENCE OF THE JUDICIARY. THERE IS NO KNOWN GROUP ENGAGED IN TERRORISM OR INSURGENCY.

THE FINAL POLITICAL ARBITER IN HONDURAS IS THE SUPERIOR DEFENSE COUNCIL(SDC). INTEREST GROUPS SUCH AS TRADE UNIONS, PEASANT FEDERATIONS, AND OTHER PRIVATE SECTOR ORGANIZATIONS HAVE A SIGNIFICANT IMPACT ON GOVERNMENT POLICY FORMULATION. THE CHIEF OF STATE HAS FOSTERED AND INSTITUTIONALIZED PRIVATE SECTOR PARTICIPATION THROUGH THE DEVICE OF ADVISORY COMMISSIONS ON VARIOUS SUBJECTS. ONE OF THE MOST SIGNIFICANT OF SUCH COMMISSIONS, REPRESENTING A SPECTRUM OF HONDURAN GROUPS, DRAFTED AN ELECTORAL AND POLITICAL ORGANIZATION LAW WHICH WAS REVIEWED BY THE SDC AND APPROVED BY THE CABINET IN DECEMBER 1977. THE LAW PROVIDES FOR THE RETURN TO ELECTORAL GOVERNMENT IN 1979, WITH PARTICIPATION OF VARIOUS POLITICAL PARTIES, REGISTRATION PROCEDURES TO AVOID FRAUD, AND OTHER CHARACTERISTICS OF A PLURALISTIC DEMOCRACY. THE PRESENT GOVERNMENT HAS ALSO EMBARKED SINCE 1975 ON AN AMBITIOUS DEVELOPMENT PLAN EMPHASIZING

SOCIAL SERVICES IN RURAL AREAS.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING
FREEDOM FROM:

A. TORTURE

NO REPORTS OF TORTURE HAVE BEEN RECEIVED IN RECENT YEARS,
B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT
THERE HAVE BEEN INSTANCES OF MISTREATMENT BY LOCAL -
POLICE, USUALLY CONFINED TO PUSHING AND SHOVING WHICH
MAY BE THE RESULT OF POOR TRAINING AND INDIVIDUAL
EXCESSES. THERE HAVE BEEN SOME INCIDENTS OF HARASSMENT
OF SOCIAL WORKERS, INCLUDING PRIESTS. THERE IS NO
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INDICATION THAT ANY OF THE ABOVE TREATMENT IS CONDONED
BY THE GOVERNMENT.

IN 1975, PEASANT UNREST AND OCCUPATION OF UNUSED, BUT
CULTIVABLE LAND IN REMOTE, RUGGED, AND ISOLATED OLANCHO
PROVINCE LED TO CONFRONTATION BETWEEN LANDOWNERS AND
PEASANTS, RESULTING IN THE DEATH OF A NUMBER OF PEASANT
LEADERS AND OTHERS. THE LANDOWNERS WERE APPARENTLY
SUPPORTED BY SOME MILITARY OFFICERS IN THE AREA ALTHOUGH
THERE IS NO INDICATION THAT THE LATTER WERE ACTING ON
GOVERNMENT ORDERS. INCIDENTS INVOLVING ABUSE OF
PEASANTS, PARTICULARLY IN THE MORE REMOTE AREAS, MAY
HAVE OCCURRED IN CONNECTION WITH EVICTION OF SQUATTERS
FROM PRIVATE LAND. HOWEVER, THE HONDURAN MILITARY AND
POLICE HAVE GENERALLY AVOIDED UNDUE FORCE IN REMOVING
SQUATTERS. NO OTHER CASES OF SERIOUS MISTREATMENT OF
PEASANTS OR OTHERS ARE KNOWN. EXILE IS NOT EMPLOYED
AS A PUNISHMENT.

C. ARBITRARY ARREST OR IMPRISONMENT

ALTHOUGH SOME CAMPESINO LEADERS WERE BRIEFLY HELD
FOLLOWING THE 1975 OLANCHO INCIDENT, THEY WERE SOON
RELEASED. ON THE OTHER HAND, SEVERAL LAND OWNERS AND
MILITARY OFFICERS WERE ARRESTED AND ARE STILL IN PRISON
IN TEGUCIGALPA PENDING ANNOUNCEMENT OF THE COURT'S VER-
DICT IN THEIR TRIAL. NO REPORTS OF ARBITRARY ARREST
OR IMPRISONMENT WERE RECEIVED DURING 1977.

D. DENIAL OF FAIR PUBLIC TRIAL

TRIALS ARE GENERALLY CONSIDERED FAIR. THE HONDURAN
JUDICIARY IS INDEPENDENT OF THE EXECUTIVE BRANCH.
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HONDURAN LAW PROVIDES FOR ARRAIGNMENT SHORTLY AFTER ARREST. ANY DELAYS WHICH MAY OCCUR APPEAR TO BE DUE

TO ADMINISTRATIVE INEFFICIENCY, NOT DELIBERATE VIOLATION OF THE LAW. JUST BEFORE CHRISTMAS 1977, THE GOVERNMENT DECLARED A PARDON FOR COMMON CRIMINALS WHICH WILL FULLY OR PARTIALLY COMMUTE SENTENCES OR PRETRIAL DETENTION AFTER INDIVIDUAL REVIEW OF EACH CASE. THIS PARDON WAS APPARENTLY BASED IN PART ON THE GOVERNMENT'S RECOGNITION THAT THERE ARE OFTEN INORDINATELY LONG DELAYS BECAUSE THE COURT SYSTEM IS OVERBURDENED. ACCESS TO LEGAL PROCESS FOR REDRESS OF GRIEVANCES VARIES ACCORDING TO THE SOCIO-ECONOMIC STATUS OF THE INDIVIDUAL, PARTICULARLY IN RURAL AREAS. TRIALS ARE HELD IN JUDGES CHAMBERS WITH THE PARTIES TO THE TRIAL AND THEIR ATTORNEYS PRESENT.

E. INVASION OF THE HOME

NO REPORTS OF INVASIONS OF THE HOME HAVE BEEN RECEIVED IN RECENT YEARS.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION

THE OBJECTIVES OF THE HONDURAN FIVE-YEAR DEVELOPMENT PLAN (1975-79) ARE TO INTEGRATE THE RURAL POOR INTO THE NATIONAL ECONOMY AND TO INCREASE SOCIAL SERVICES IN RURAL AREAS. THE DEVELOPMENT PLAN HAS MOVED FORWARD IN AGRARIAN REFORM AND LAND DISTRIBUTION. THERE IS A NATIONAL PROGRAM FOR EXPANDING BASIC HEALTH CARE AND FAMILY PLANNING SERVICES IN RURAL AREAS THROUGH CONSTRUCTION OF 500 HEALTH POSTS BY 1980 AND TRAINING PARAMEDICS TO STAFF THEM. THE GOVERNMENT ALSO HAS INCREASED ITS BUDGET FOR PRIMARY SCHOOL TEACHERS AND HAS FINANCED THE CONSTRUCTION, ON A PILOT BASIS, OF LOW-LIMITED OFFICIAL USE

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COST RURAL HOUSING.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY

FREEDOM OF THE PRESS AND OF RELIGION ARE RESPECTED IN HONDURAS. POLITICAL PARTIES CANNOT HOLD PUBLIC DEMONSTRATIONS BUT ARE ALLOWED TO HOLD PUBLICIZED INTERNAL ELECTIONS AND TO PUBLISH DECLARATIONS WHICH ARE OFTEN CRITICAL OF GOVERNMENT POLICIES. OTHERWISE FREEDOM OF SPEECH AND ASSEMBLY ARE RESPECTED.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION

THERE IS FREEDOM OF MOVEMENT WITHIN HONDURAS. CITIZENS ARE ALSO FREE TO TRAVEL AND EMIGRATE EXCEPT FOR RESTRICTIONS AT SOME BORDER CROSSINGS BECAUSE OF THE 1969 BORDER WAR WITH EL SALVADOR.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

SINCE A COUP IN 1972, THE MILITARY HAS EXERCISED POWER AND THE LEGISLATURE HAS BEEN SUSPENDED. CURRENTLY, A NUMBER OF ADVISORY COUNCILS TO THE CHIEF OF STATE ARE FUNCTIONING, WITH THE PARTICIPATION OF VARIOUS POLITICAL GROUPS.

ONE OF THE MAIN COUNCILS IS PREPARING FOR ELECTIONS WHICH HAVE BEEN PROMISED FOR 1979. A NEW ELECTORAL LAW PROVIDING FOR PARTICIPATION OF SOME SMALL PARTIES

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AS WELL AS THE TWO MAJOR PARTIES WAS PROMULGATED IN DECEMBER 1977. POLITICAL PARTIES HAVE ALREADY BEGUN TO REVIVE AND ARTICULATE THEIR PLATFORMS. LABOR UNIONS ARE FREE TO ORGANIZE AND ENGAGE IN CONCERTED ACTIVITY TO ACHIEVE ECONOMIC OBJECTIVES. THEY ARE PARTICULARLY STRONG AND ACTIVE IN THE NORTHERN BANANA PLANTATION REGIONS.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS

IN MAY 1976, AN AMNESTY INTERNATIONAL INVESTIGATIVE MISSION TO HONDURAS "ENJOYED THE FULL COOPERATION OF THE GOVERNMENT" ACCORDING TO AMNESTY. NO OTHER REQUESTS FOR INVESTIGATION HAVE BEEN REPORTED. HONDURAS HAS RATIFIED THE AMERICAN CONVENTION ON HUMAN RIGHTS.

END TEXT. VANCE

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DRAFTED BY: ARA:CEN:DCJOHNSON

APPROVED BY: ARA:CEN:WMATTHEWS

-----079532 081047Z /14

R 080730Z FEB 78

FM SECSTATE WASHDC

INFO AMEMBASSY SAN JOSE 0000

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FOLLOWING TELEGRAM FROM SECSTATE WASHDC DATED JANUARY
30, 1978 SENT TEGUCIGALPA INFO SAN SALVADOR IS REPEATED
TO YOU: QUOTE

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E.O. 11652: N/A

TAGS: HO, SHUM, PINT

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EMIGRATION ARE RESPECTED. DURING 1977 THERE WERE ALMOST NO REPORTS ALLEGING VIOLATIONS OF THE INTEGRITY OF THE PERSON, SUCH AS ARBITRARY ARREST OR IMPRISONMENT, INVASION OF THE HOME, INHUMAN PUNISHMENT, OR VIOLATIONS OF THE INDEPENDENCE OF THE JUDICIARY. THERE IS NO KNOWN GROUP ENGAGED IN TERRORISM OR INSURGENCY.

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ONE OF THE MAIN COUNCILS IS PREPARING FOR ELECTIONS
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WHICH HAVE BEEN PROMISED FOR 1979. A NEW ELECTORAL LAW PROVIDING FOR PARTICIPATION OF SOME SMALL PARTIES AS WELL AS THE TWO MAJOR PARTIES WAS PROMULGATED IN DECEMBER 1977. POLITICAL PARTIES HAVE ALREADY BEGUN TO REVIVE AND ARTICULATE THEIR PLATFORMS. LABOR UNIONS ARE FREE TO ORGANIZE AND ENGAGE IN CONCERTED ACTIVITY TO ACHIEVE ECONOMIC OBJECTIVES. THEY ARE PARTICULARLY STRONG AND ACTIVE IN THE NORTHERN BANANA PLANTATION REGIONS.

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END TEXT. VANCE UNQUOTE VANCE

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Message Attributes

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Control Number: n/a
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Draft Date: 30 jan 1978
Decaption Date: 01 jan 1960
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Executive Order: N/A
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Film Number: D780045-0131
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978016/aaaaafdc.tel
Line Count: 552
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Litigation Codes:
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Reference: 78 STATE 18330
Retention: 0
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Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3769801
Secure: OPEN
Status: NATIVE
Subject: ANNUAL REPORT TO CONGRESS ON HUMAN RIGHTS IN HONDURAS
TAGS: SHUM, PINT, HO, US
To: TEGUCIGALPA
Type: TE
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20 Mar 2014
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